

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

1

**The Minutes**

**February 20, 2006**

There were no minutes for this date.

**February 21, 2006**

At 9:31 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Nicholson, Associate Justice; Hull, Associate Justice; Robie, Associate Justice; and Facey, bailiff.

**C047512 THE PEOPLE v. SHESHKUTOV**

Cause called. Roberta Simon, court appointed counsel, argued for appellant. Barton Bowers, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:03 a.m., the court recessed until 9:30 a.m., Wednesday, February 22, 2006.

**C048096 THE PEOPLE v. WILLIAMS (Not for Publication)**

The judgment is affirmed.  
BLEASE, J.  
We Concur: Scotland, P.J.  
Robie, J.

**C048066 DOMINGUEZ, a Minor, etc., et al. v. COUNTY OF SAN JOAQUIN et al. (Not for Publication)**

The judgment is affirmed.  
NICHOLSON, Acting P.J.  
We Concur: Robie, J.  
Cantil-Sakauye, J.

**C049379 HOSKINS et al. v. HOGSTAD et al. (CERTIFIED FOR PUBLICATION)**

The order is affirmed. The Hoskins shall recover their costs on appeal. (Cal. Rules of Court, rule 27(a)(2).)  
ROBIE, J.  
We Concur: Nicholson, Acting P.J.  
Morrison, J.

**C048588 In re I.F. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. SARA F. (Not for Publication)**

The orders of the juvenile court are affirmed.  
NICHOLSON, J.  
We Concur: Scotland, P.J.  
Morrison, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

2

**The Minutes**

**February 22, 2006**

At 9:31 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Scotland, Presiding Justice; Nicholson, Associate Justice; Hull, Associate Justice; and Guzman, bailiff.

**C048619      ANDERSON v. WALDORF et al.**

Cause called. Kenneth W. Nickel argued for appellant and submitted additional citations. Jeffrey D. Wagner appeared only for appellant. C. Athena Roussos argued for respondents. Cause submitted.

At 9:55 a.m., the court recessed. At 10:00 a.m., the court reconvened with Scotland, Presiding Justice; Raye, Associate Justice; and Morrison, Associate Justice.

**C048065      BELL v. ENBERG**

Cause called. Donald W. West argued for appellant. Michael A. Fluetsch argued for respondent. Cause submitted.

At 10:29 a.m., the court recessed. At 10:33 a.m., the court reconvened with Blease, Associate Justice; Nicholson, Associate Justice; and Butz, Associate Justice.

**C049201      MINERAL ASSOCIATIONS COALITION et al. v. CALIFORNIA STATE MINING AND GEOLOGY BOARD**

Cause called. Michael N. Mills argued for appellants. William D. Cunningham, Deputy Attorney General, argued for respondent. Cause submitted.

At 11:27 a.m., the court recessed. At 11:30 a.m., the court reconvened with Blease, Associate Justice; Hull, Associate Justice; and Cantil-Sakauye, Associate Justice.

**C047895      GOLDSMITH et al. v. VIERRA et al. and HOCKMEYER et al.**

Cause called. Allan S. Haley argued and Steven T. Spiller appeared only for defendants-appellants-cross-respondents Vierra et al. Marsha A. Burch argued for defendants-cross-respondents Hockmeyer et al. Kenneth H. Leach appeared only for plaintiffs-respondents-cross-appellants Goldsmith et al. Cause submitted.

At 12:02 p.m., the court recessed. At 2:02 p.m., the court reconvened with Nicholson, Associate Justice; Morrison, Associate Justice; and Butz, Associate Justice.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

3

**The Minutes**

**February 22, 2006, continued**

**C049794      JACOB B. v. SHASTA COUNTY et al.**

Cause called. Gary Brickwood argued for appellants. John P. Kelley argued for respondent. Cause submitted.

At 2:21 p.m., the court recessed. At 2:27 p.m., the court reconvened with Raye, Associate Justice; Morrison, Associate Justice; and Butz, Associate Justice.

**C048607      THE PEOPLE v. WIVERSOLL**

Cause called. Roberta Simon, court appointed counsel, argued for appellant. John A. Bachman, Deputy Attorney General, argued for respondent and submitted additions citations. Cause submitted.

At 2:50 p.m., the court recessed until 9:30 a.m., Friday, February 24, 2006.

**C048942      THE PEOPLE v. WILLIAMS      (Not for Publication)**

The judgment is affirmed.

RAYE, J.

We Concur:    Nicholson, Acting P.J.  
Morrison, J.

**C049356      THE PEOPLE v. JONES      (Not for Publication)**

The judgment is affirmed.

BUTZ, J.

We Concur:    Nicholson, Acting P.J.  
Morrison, J.

**C049482      THE PEOPLE v. TAMARIZ      (Not for Publication)**

The judgment is modified... As modified, the judgment is affirmed...

RAYE, Acting P.J.

We Concur:    Morrison, J.  
Butz, J.

**C049501      THE PEOPLE v. VALDERRAMA      (Not for Publication)**

The portion of the appeal challenging the commitment order is dismissed as moot and the judgment is affirmed.

RAYE, Acting P.J.

We Concur:    Morrison, J.  
Butz, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

4

**The Minutes**

**February 22, 2006, continued**

- C049635      THE PEOPLE v. ABEYTA      (Not for Publication)**  
The judgment is affirmed.  
BLEASE, Acting P.J.  
We Concur: Raye, J.  
Butz, J.
- C049755      THE PEOPLE v. BOMAN      (Not for Publication)**  
The judgment is affirmed.  
RAYE, Acting P.J.  
We Concur: Morrison, J.  
Butz, J.
- C049797      THE PEOPLE v. HENLEY      (Not for Publication)**  
The judgment is affirmed.  
RAYE, Acting P.J.  
We Concur: Morrison, J.  
Butz, J.
- C046829      HALLORAN v. PILKINGTON NORTH AMERICA, INC. et al.      (Not for Publication)**  
To the extent the judgment is against defendants Huffman, Tolbert, and Lamberth, it is reversed. In all other respects the judgment is affirmed. Plaintiff shall recover his costs on appeal.  
BLEASE, Acting P.J.  
We Concur: Nicholson, J.  
Morrison, J.
- C048644      In re TYRONE B.; THE PEOPLE v. TYRONE B.      (Not for Publication)**  
The judgment is affirmed.  
RAYE, Acting P.J.  
We Concur: Morrison, J.  
Butz, J.
- C050336      In re K.M. on Habeas Corpus.      (Not for Publication)**  
The petition for writ of habeas corpus is granted. Let a writ of habeas corpus issue, directing CDC to consider and decide, on the merits, K. M.'s application for a sentence reduction as authorized by section 2935.  
SCOTLAND, P.J.  
We Concur: Sims, J.  
Davis, J.



**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

6

**The Minutes**

**February 24, 2006**

At 9:31 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Nicholson, Associate Justice; Raye, Associate Justice; Morrison, Associate Justice; and Guzman, bailiff.

**C047573      THE PEOPLE v. STORYDECORTE**

Cause called. Susan M. Burke, court appointed counsel, argued for appellant. Brook A. Bennigson, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:12 a.m., the court recessed. At 2:02 p.m., the court reconvened with Scotland, Presiding Justice; Nicholson, Associate Justice; and Hull, Associate Justice.

**C048782      NESS v. ALEXANDER & BALDWIN et al.**

Cause called. Robert M. Dato argued for appellants. Mark R. Swartz argued for respondent. Cause submitted.

At 2:28 p.m., the court recessed. At 2:31 p.m., the court reconvened with Blease, Associate Justice; Sims, Associate Justice; and Morrison, Associate Justice.

**C050675      VOGT et al. v. THE SUPERIOR COURT OF MODOC COUNTY and SX RANCH, INC.**

Cause called. Scott E. Rubright argued for petitioners. James R. Rose, argued for real party in interest. Cause submitted.

At 2:51 p.m., the court recessed until 9:30 a.m., Monday, February 27, 2006.

**C050395      THE PEOPLE v. DAVIS      (Not for Publication)**

The judgment is affirmed.  
BLEASE, Acting P.J.  
We Concur: Robie, J.  
Butz, J.

**C048322      BROOKS v. STEARNS      (Not for Publication)**

The judgment is affirmed. The costs on appeal are awarded to respondent.  
BLEASE, Acting P.J.  
We Concur: Nicholson, J.  
Butz, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

7

**The Minutes**

**February 24, 2006, continued**

**C049163      BARNES et al. v. HUSSA et al.      (CERTIFIED FOR PUBLICATION)**

The judgment is affirmed. The Barneses shall recover their costs on appeal. (Cal. Rules of Court, rule 27(a).)

ROBIE, J.

We Concur:    Blease, Acting P.J.  
                  Nicholson, J.

**C050051      In re M.M. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND  
HUMAN SERVICES v. DONNELL M.      (Not for Publication)**

The judgments of disposition are affirmed as to Sacramento County Superior Court case Nos. JD221769, JD221770, and JD221771. The appeal of the judgment of disposition as to Sacramento County Superior Court case No. JD221772 is dismissed. Respondent's request for judicial notice, filed November 28, 2005, is denied as unnecessary.

RAYE, J.

We Concur:    Sims, Acting P.J.  
                  Cantil-Sakauye, J.

**C049072      McCREARY v. SUPERIOR COURT OF PLACER COUNTY  
BY THE COURT:**

Appellant's petition for rehearing is denied.  
BLEASE, Acting P.J.